

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America

v.

Kedwin Ramon Then Gutierrez;

Case No.

23-mj-7035

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 1, 2023 in the county of Burlington in the
District of New Jersey, the defendant(s) violated:

Code Section

21 USC 846

Offense Description

Conspiracy to Possess/Distribute Controlled Substance

See Attachment A

This criminal complaint is based on these facts:

See Attachment B

☒ Continued on the attached sheet.

Sebastian Salazar

Complainant's signature

SA Sebastian Salazar, DEA

Printed name and title

Sworn to before me and signed in my presence.

Date: 05/02/2023

City and state: Camden, New Jersey

Hon. Elizabeth A. Pascal, USMJ

Printed name and title

CONTENTS APPROVED

UNITED STATES ATTORNEY

By: Joseph McFarlane
JOSEPH MCFARLANE
Assistant U.S. Attorney

Date: May 2, 2023

Attachment A

On or about May 1, 2023, in Burlington County, in the District of New Jersey and elsewhere, the defendants,

KEDWIN RAMON THEN GUTIERREZ,

MAURICIO SILVA, JR.

did knowingly and intentionally conspire and agree with each other and others to distribute and to possess with intent to distribute cocaine, a Schedule II drug controlled substance, contrary to Title 21, United States Code, Sections 841(a); and fentanyl, a Schedule II drug controlled substance, contrary to Title 21, United States Code, Sections 841(a).

In violation of Title 21, United States Code, Section 846.

Attachment B

I, Sebastian Salazar, a Special Agent of the Drug Enforcement Administration, having conducted an investigation and having spoken with other individuals, have knowledge of the following facts:

1. Defendant KEDWIN RAMON THEN GUTIERREZ is a resident of the Bronx, New York.

2. Law enforcement officers received information from a source that Defendant KEDWIN RAMON THEN GUTIERREZ was involved in the trafficking of illegal narcotics.

3. Based on that information and other information known to law enforcement, on or about April 11, 2023, law enforcement officers sought and obtained an order for a pen register for KEDWIN RAMON THEN GUTIERREZ's cellular telephone. The order was signed by Justice Steven M. Statsinger, Justice of the Supreme Court, City and County of New York.

4. On May 1, 2023, law enforcement officers conducted surveillance of Defendant KEDWIN RAMON THEN GUTIERREZ. Officers observed Defendant KEDWIN RAMON THEN GUTIERREZ travel in a white Mercedes Benz from an auto body shop to a tire shop and then to his residence in the Bronx.

5. Law enforcement officers observed Defendant KEDWIN RAMON THEN GUTIERREZ enter his residence. A short time later, Defendant KEDWIN RAMON THEN GUTIERREZ exited his residence carrying a large box. Defendant KEDWIN RAMON THEN GUTIERREZ placed the box in the back seat of the white Mercedes Benz and drove away from the residence.

6. Law enforcement officers attempted to follow Defendant KEDWIN RAMON THEN GUTIERREZ but lost sight of him a short time after he left his residence.

7. Based on data obtained pursuant to the April 11 pen register application, law enforcement determined that Defendant KEDWIN RAMON THEN GUTIERREZ left New York via the George Washington Bridge and travelled southbound on Interstate 95 in New Jersey.

8. Law enforcement officers travelled southbound on Interstate 95 and ultimately located Defendant KEDWIN RAMON THEN GUTIERREZ parked at a

Hampton Inn in Burlington County, New Jersey. Shortly thereafter, Defendant KEDWIN RAMON THEN GUTIERREZ drove the white Mercedes Benz to a nearby truck stop and gas station, located at 402 Rising Sun Road, Bordentown New Jersey.

9. Law enforcement conducted surveillance of the truck stop and surrounding area and observed Defendant MAURICIO SILVA, JR. standing on a sidewalk next to a large duffel bag.

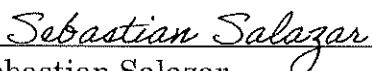
10. Defendant KEDWIN RAMON THEN GUTIERREZ backed his white Mercedes Benz to where Defendant MAURICIO SILVA, JR. was standing and opened the trunk. Defendant MAURICIO SILVA, JR. placed the large duffel bag into the trunk of Defendant KEDWIN RAMON THEN GUTIERREZ's white Mercedes Benz.

11. Defendant KEDWIN RAMON THEN GUTIERREZ removed the box from the back seat of the white Mercedes Benz and gave it to Defendant MAURICIO SILVA, JR., who began walking with the box towards a truck parked nearby.

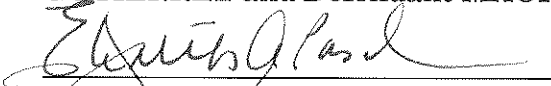
12. Law enforcement officers including Task Force Officer ("TFO") Ian Scheinblum then approached Defendant MAURICIO SILVA, JR. and engaged him in questioning. TFO Scheinblum asked Defendant MAURICIO SILVA, JR. for consent to search the box, which he provided verbally. A search of the box revealed approximately \$200,000 in United States currency.

13. I approached Defendant KEDWIN RAMON THEN GUTIERREZ and engaged him in questioning. I asked Defendant KEDWIN RAMON THEN GUTIERREZ for consent to search the white Mercedes Benz and the duffel bag located in the trunk. Defendant KEDWIN RAMON THEN GUTIERREZ provided verbal consent for the searches.

14. The search of the duffel bag revealed 36 packages of suspected narcotics, weighing approximately one kilogram each. Law enforcement subsequently tested the contents of the packages. Nine of the packages tested positive for fentanyl and 27 packages tested positive for cocaine.


Sebastian Salazar,
Special Agent, DEA

Pursuant to Fed. R. Crim. P. 4.1(b)(2)(A), Special Agent Salazar was sworn and attested to the contents of this affidavit by telephone in support of the complaint and arrest warrants for Defendant KEDWIN RAMON THEN GUTIERREZ and Defendant MAURICIO SILVA, JR.

A handwritten signature in cursive script, appearing to read "Elizabeth A. Pascal", is written over a horizontal line.

HON. ELIZABETH A. PASCAL
United States Magistrate Judge

Date: May 2, 2023